



City of Austin

Recommendation for Action

File #: 25-1284, **Agenda Item #:** 114.

7/24/2025

Posting Language

Authorize negotiation and execution of an amendment to an encroachment agreement with the Capital Metropolitan Transportation Authority for the relocation of infrastructure related to the permanent downtown rail station on 4th Street, between Red River Street and Trinity Street. Funding: This item has no fiscal impact.

Lead Department

Transportation and Public Works Department

Fiscal Note

This item has no fiscal impact.

Prior Council Action:

May 4, 2017 - Council authorized the negotiation and execution of an interlocal agreement with the Capital Metropolitan Transportation Authority for the establishment of a public plaza and a permanent downtown rail station on 4th Street, between Red River Street and Trinity Street, which was approved on Council Member Kitchen's motion, Council Member Renteria's second, on an 8-2 vote, with Council Members Houston and Troxclair voting nay and Council Member Garza absent.

December 13, 2018 - Council authorized the negotiation and execution of an encroachment agreement with Capital Metropolitan Transportation Authority for the surface and subsurface encroachments of approximately 48,949 square feet of right-of-way by proposed railroad tracks, station platforms, canopies, signal house and subsurface encroachments of approximately 1,050 square feet for electrical and IT conduit, 192 square feet landscape waterline, 108 square feet private waterline, 985 square feet irrigation waterline and 2,245 square feet IT conduit within East 4th Street generally between Trinity Street and IH 35, which was approved on Mayor Pro Tem Tovo's motion on a 10-0 vote, with Council Member Renteria absent.

December 13, 2018 - Ordinance No. 20181213-106, which Council waived or reimbursed fees for right-of-way, encroachments, easements, or licenses, and permit deposits in an amount not to exceed \$14,021,548.45 related to the Capital Metropolitan Transit Authority Downtown Station, generally located on 4th Street from Trinity Street to IH-35, which was approved on Mayor Pro Tem Tovo's motion on a 10-0 vote, with Council Member Renteria absent.

June 10, 2021 - Resolution No. 20210610-005 and Resolution No. 20210610-096 as amended were approved on an 11-0 vote, approving the Construction Manager-at-Risk Methodology for Convention Center Redevelopment and Expansion Project.

October 19, 2023 - Council authorized negotiation and execution of a contract with LMN | Page, a joint venture, which was approved on Council Member Pool's motion, Council Member Qadri's second on a 9-0 vote. Council Member Fuentes was off the dais. Council Member Harper-Madison was absent.

October 19, 2023 - Council authorized negotiation and execution of a contract with JE Dunn/Turner, a joint venture, which was approved on Council Member Pool's motion, Council Member Qadri's second on a 9-0 vote. Council Member Fuentes was off the dais. Council Member Harper-Madison was absent.

For More Information:

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Additional Backup Information:

The City of Austin has grown rapidly into a top ten preferred convention destination since opening the Austin Convention Center in 1992 and its expansion in 2002. However, the existing Convention Center has insufficient space to accommodate the growth in event demand at the Center, while the facility itself creates a barrier between east and west, with no ground level interaction for the local community and visitors. Therefore, with the support of Council, Austin Convention Center Department (“ACCD”) embarked on the Austin Convention Center Redevelopment and Expansion Project (“Project”) to provide a larger, more efficient facility on a smaller footprint that will be a more active and community-friendly event space in the heart of Downtown Austin.

The City and Capital Metro entered an interlocal cooperation agreement on June 22, 2017, concerning the construction of a permanent rail station in downtown Austin (the “Downtown Station”). As a part of that project, the City and Capital Metro entered an encroachment agreement permitting Capital Metro to place infrastructure related to the Downtown Station within City right-of-way within Fourth Street between Trinity Street and IH-35. The City and Capital Metro also executed a railroad equipment easement permitting the installation of Capital Metro infrastructure on Austin Convention Center Property.

As a part of the Austin Convention Center Redevelopment and Expansion (“ACCX”) Project, some of Capital Metro’s infrastructure installed pursuant to the encroachment agreement and the railroad equipment easement must be relocated. The City has coordinated with Capital Metro to determine appropriate new locations for Capital Metro’s infrastructure, as well as the roles and responsibilities related to the relocations. The City proposes to relocate Capital Metro’s infrastructure to the new location at the City’s cost, as a part of the ACCX Project. The City will coordinate with Capital Metro to make final determinations of the new locations for the infrastructure, as well as to minimize impacts to the Downtown Station’s operation.

This item requests authorization to negotiate and execute an amendment to the existing encroachment agreement with Capital Metro to modify the encroachment areas for the new infrastructure location and to memorialize the City’s and Capital Metro’s coordination efforts related to the infrastructure relocation. As a part of the encroachment agreement amendment, the existing railroad equipment easement will be terminated because Capital Metro’s infrastructure currently located within the railroad equipment easement will be entirely relocated, and there will no longer be a need for the railroad equipment easement.

Prior to executing the amendment to the encroachment agreement, staff will bring requests in future Council meetings for fee waivers as necessary.